



VIA HAND DELIVERY MAY 15, 2001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED

MAY 21 2001

TECH CENTER 1600/2900

In re application of: Hastings et al.

Application Serial No.: 09/037,460

Filed: March 10, 1998

For: Human Vascular IBP-Like Growth Factor
Polynucleotides (as amended)

Art Unit: 1647

Examiner: Saoud, C.

Attorney Docket No.: PF147D1

**NOTICE OF APPEAL FROM THE EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Commissioner for Patents
Washington, D.C. 20231

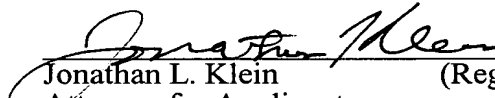
Sir:

Applicant hereby **appeals** to the Board of Patent Appeals and Interferences from the last decision of the Examiner, dated December 15, 2000, which finally rejected claims 54-67, 75-92, 102-107, 115-119, and 122-175 of the above-identified application.

Please charge the required fee of \$310.00, and any other fees deemed necessary, to Deposit Account No. 08-3425.

Respectfully submitted,

Dated: MAY 15, 2001


Jonathan L. Klein (Reg. No. 41,119)
Attorney for Applicants

Human Genome Sciences, Inc.
9410 Key West Avenue
Rockville, MD 20850
Phone: (301) 251-6015

JLK/CCB/ba

05/17/2001 CNGUYEN 00000023 083425 09037460

02 FC:119 310.00 CH

FEE TRANSMITTAL
for FY 2001

MAY 15 2001

Patent fees are subject to annual revision.

Complete if Known

Application Number	09/037,460
Filing Date	March 10, 1998
First Named Inventor	Hastings et al.
Examiner Name	Saoud, C.
Group Art Unit	1647
Attorney Docket Number	PF147D1

METHOD OF PAYMENT (CHECK ONE)

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayment to:
Deposit Account Number **08-3425**
Deposit Account Name **Human Genome Sciences, Inc.**

☒ Charge Any Additional Fee Required
Under 37 CFR §§ 1.16 and 1.17

☐ Applicant claims small entity status
See 37 CFR 1.27

2. ☐ Payment Enclosed:

☐ Check ☐ Credit Card ☐ Money Order ☒ Other*

* Charge any deficiencies or credit any overpayments in the fees or fee calculations of Parts 1, 2 and 3 below to Deposit Account No. 08-3425

FEE CALCULATION

1. BASIC FILING FEE

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	710	201	355	Utility filing fee	
106	320	206	160	Design filing fee	
107	490	207	245	Plant filing fee	
108	710	208	355	Reissue filing fee	
114	150	214	75	Provisional filing fee	
Subtotal (1)					\$0.00

2. EXTRA CLAIM FEES

	Extra	Fee from below	Fee Paid
Total claims	- 20**	\$18.00	\$
Indep. claims	- 3**	\$80.00	\$
Multiple			\$
Dependent			

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	80	202	40	Independent claims in excess of 3
104	270	204	135	Multiple dependent claim
108	80	209	40	**Reissue independent claims over original patent
110	18	210	9	**Reissue claims in excess of 20 and over original patent

Subtotal (2) **\$0.00**

Submitted By

Name (Print/Type) Jonathan L. Klein

Signature: *Jonathan L. Klein*

FEE CALCULATION (CONTINUED)

3. ADDITIONAL FEES

Large Entity Fee Code	Entity Fee (\$)	Small Entity Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing of Oath or Declaration	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination	
112	920	112	920	Requesting publication of SIR prior to Examiner action	
113	1,840	113	1,840	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	390	216	195	Extension for reply within second month	\$390.00
117	890	217	445	Extension for reply within third month	
118	1,390	218	695	Extension for reply within fourth month	
128	1,890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	\$310.00
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive -unavoidable	
141	1,240	241	620	Petition to revive - unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	180	126	180	Submission of Information Disclosure Statement	
581	40	481	40	Recording each patent assignment per property (times number of properties)	
146	710	246	355	Filing a submission after final rejection (37 CFR 1.129(a))	
149	710	249	355	For each additional invention to be examined (37 CFR 1.129(b))	
179	710	279	355	Request for Continued Examination (RCE)	
169	190	169	900	Request for expedited examination of a design application	

Other fee (specify):

Other fee (specify):

*Reduced by Basic Filing Fee Paid

Subtotal (3)

\$700.00

Complete (if applicable)

Registration No.: 41,119

Telephone (301) 251-6015

Date MAY 15, 2001

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.